

Report on Patient Privacy Volume 19, Number 5. May 08, 2019 Patient Privacy Court Case: May 2019

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◆ **Nursing Center Sued for Violating Biometric Law With Employee Fingerprint Scans.** On April 23, 2019, a class action lawsuit was filed in the Circuit Court of Cook County, Illinois, to stop the collection, use, storage and disclosure of a nursing center's employees' personal biometric data.

A former employee filed a class action complaint against Chicago Ridge Nursing Center LLC alleging that the nursing center requires its employees to scan their fingerprints for timekeeping and authentication purposes. The lawsuit claims that employees were required to scan at least one fingerprint multiple times so the nursing center could create and use a biometric template associated with each employee. The template is used to identify and authenticate the employees every time they scanned their fingerprint to clock in or clock out at work. However, the nursing center has no publicly available policies on its data collection, retention, use and destruction. The complaint asserts that this is in violation of the disclosures required under the Illinois Biometric Information Privacy Act (BIPA).

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